Summit County Planning Commission (SCPC)
Thursday April 25, 2019 - 3:00 p.m.
County of Summit, County Council Chambers
175 South Main Street, 7th Floor, Akron, Ohio

Meeting Agenda

A. Call to Order
Chair Mavrides

B. Roll Call
Smith

C. Approval of the March 28, 2019 SCPC Minutes
Chair Mavrides

D. Business Items
Knittel

New Business

Item # 1 – Zoning Map Amendment - 4640, 4660, 4666 & 4672 Medina Rd - Copley Township - on Medina Rd (SR 18) between Hametown Rd and Scenic View Dr. In a commercially zoned area with a non-conforming gasoline service station and convenience retail and single family residential to the south. The applicant is requesting to rezone from Commercial – Office Retail (C-OR) to Commercial – General Retail (C-GR).

Item # 2 – Text Amendment - Addition of Article 28.00 Short Term Rentals – Coventry Township - Coventry Township Zoning Resolution be amended to allow for the addition of Article 28 Short Term Rentals to add regulations for short term rentals permit and use.

Item # 3 – Text Amendment - Addition of Regulations of Garages in Residential Districts – Twinsburg Township - Twinsburg Township Zoning Resolution be amended to unify and address concerns regarding language pertaining to private garages in the Township’s five residential zoning districts.

Item # 4 – Text Amendment - Public Notification – Northfield Center Township - Northfield Center Township Zoning Resolution Section 640.03 and 660.03 be amended to add text regulating public notification of adjacent property owners of an appeal of the board of zoning appeals.

Item # 5 – Text Amendment – Chapter 130 Definitions, signs – Northfield Center Township - Northfield Center Township Zoning Resolution Chapter 130 Definitions be amended to add more detail and new definitions in regards to signage.

Item # 6 – Text Amendment – Chapter 420 Signs – Northfield Center Township - Northfield Center Township Zoning Resolution Section 420 be rewritten.

Item # 7 – Text Amendment – Buffering and Screening – Northfield Center - Northfield Center Township Zoning Resolution Chapter 430 Landscaping and Screening Requirements Section 430.04 be amended to add text regulating screening of residential areas from commercial and industrial areas and that the Chapter 130 Definitions be amended to have a new definition of “Buffer Zone”.
E. Report from Assistant Director

F. Comments from Public

G. Comments from Commission Members

H. Other
   1. Legal Update

I. Adjournment
Minutes of March Meeting

Members Present: George Beckham, Becky Corbett, Helen Humphrys, David Kline, Allen Mavrides, Jeff Snell, Dennis Stoiber, and Jeff Wilhite

Members Absent: Jerry Feeman, Jason Segedy, and Robert Terry

Staff: Dennis Tubbs, Deborah Matz, and Cazz Smith Jr.


I. Call to Order

Allen Mavrides called the meeting to order on Thursday, March 28, 2019 at 3:00 pm in the County of Summit Council Chambers, 175 South Main Street, 7th Floor, Akron Ohio 44308. A roll call was conducted by Cazz Smith the attending members constituted a quorum.

II. Approval of the February 28, 2019 Meeting Minutes

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<th>SCPC Member</th>
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Motion

David Kline made a motion to approve the minutes of the February 28, 2019 meeting, and it was seconded by Dennis Stoiber the motion passed with one abstention from Allen Mavrides.
III. Business Items

A. Old Business – (1) items

Item # 1a – Variance - Springfield Township - 1116 Canton Rd – The applicant is requesting a Variance from Road Frontage requirements for proposed parcel 2 which has no frontage on a public street.

Staff Recommendation: APPROVAL

SCPC Action:
Approval: X
Disapproval:
Action:

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- Victoria Johnson council from Baker and Hostetler stated her reasoning for their request.
- Jeff Snell stated he is okay as long as there is a condition that the parcel cannot be transferred without the combine of parcel 5110796.
- David Kline asked if the mortgage company allowed the permanent easement onto the new property without breaking the mortgage loan.
- Victoria Johnson replied yes.
- Warren Price from Township of Springfield explained the history of the parcel.
- Joe Paradise SCE stated physical access to this site would not cause a problem.

Motion

A motion was made by Jeff Wilhite to approve Item # 1a – Variance – Springfield Township on 1116 Canton Road it was seconded by David Kline the motion passed with no abstentions.
**Item # 1b – Lot Split - Springfield Township** - 1116 Canton Rd - The applicant is proposing to split land parcel 5110796 to create two parcels, parcel 1, 0.7058 Acres, and parcel 2 0.7737 Acres.

**Staff Recommendation:** APPROVAL with the condition of a deed restriction that the plat could not be transferred or sold without parcel # 5110796

SCPC Action:
Approval: X
Disapproval:
Action:

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**Motion**

A motion was made by Jeff Snell to approve Item # 1b – Lot Split - Springfield Township – 1116 Canton Road it was seconded by Jeff Wilhite the motion passed with no abstentions.
IV. Business Items cont.

B. New Business – (2) items

Item # 1 – Retreat at Liberty Lakes - Preliminary Plan Extension - Twinsburg Township -
The existing plan is 56 lots on 39.0760 Acres with 23.0544 Acres of Open Space, Sewage
serviced by DSSS and Twin-Keystone Water. The Applicant is requesting a one year time
extension on the conditional approval the SCPC had granted in October 18, 2018.

Staff Recommendation: APPROVAL for a one year time extension.

SCPC Action:
Approval: X
Disapproval:
Action:

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- Brian Uhlenbrock from Neff and Associates stated his reason for the time extension.
- Joe Paradise from SCE stated they support the time extension.
- Jeff Wilhite asked if the property owner loses square footage because of the required
  setback.
- Joe Paradise responded with a no and stated the developer would have to keep the area in
  question wooded.

Motion

A request was made by Brian Uhlenbrock to request a time extension of one year on Item # 1 –
Retreat at Liberty Lakes - Preliminary Plan Extension - Twinsburg Township a motion was
made by David Kline to approve the extension and it was seconded by Dennis Stoiber the
motion passed with no abstentions.
Item # 2 – Redwood Apartments - Copley Township - The applicant is proposing a total of 100 apartment units on the site property of 59.51 acres. There will be 400 parking spaces, garage and driveway and 26 off street parking. The plan proposes three ponds.

**TABLED BY APPLICANT**

**Staff Recommendation:**

SCPC Action:
Approval:
Disapproval:
Action: **Tabled**

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- Allen Mavrides requested supplemental information regarding Redwood Apartments for the members of SCPC to assist with the history of this project.

**Motion:**

A motion was made by **David Kline** to table **Item # 2 – Redwood Apartments – Copley Township** indefinitely based on the applicants request it was second by **Jeff Wilhite** with one abstention from **Helen Humphrys**.
V. **Report from Assistant Director**

Deb Matz would like to reestablish the rules committee

VI. **Comments from Public**

VII. **Comments from Planning Commission Members**

VIII. **Other**

XI. **Next Meeting**

The next Summit County Planning Commission meeting will be held on *Thursday, April 25, 2019*.

XII. **Adjournment**

Being no further business to come before the Planning Commission, *Dennis Stoiber* made a motion to adjourn, and it was seconded by *George Beckham*. The motion passed unanimously. The meeting adjourned at 3:44*pm*.
EXECUTIVE SUMMARY
Located in Copley Township on Medina Rd (SR 18) between Hametown Rd and Scenic View Dr. In a commercially zoned area with a non-conforming gasoline service station and convenience retail and single family residential to the south. The applicant is requesting to rezone from Commercial – Office Retail (C-OR) to Commercial – General Retail (C-GR).

Staff recommends DISAPPROVAL

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<th>Meeting:</th>
<th>April 25, 2019</th>
<th>Proposed Zoning: C-GR, Commercial – General Retail</th>
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<td>Item No.:</td>
<td>1</td>
<td>Council Dist.: District 5, David Hamilton</td>
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<td>Current Zoning:</td>
<td>C-OR, Commercial - Office Retail</td>
<td>Processor: Stephen Knittel</td>
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Parcel Number: 1702589, 1702051, 1702590, & 1700158.

Location: Located in Copley Township on Medina Rd (SR 18) between Hametown Rd and Scenic View Dr.

Proposal: The applicant is requesting to rezone from Commercial – Office Retail (C-OR) to Commercial – General Retail (C-GR).

Per the applicant:
The existing zoning of the land is unreasonable because: “It doesn’t allow us to move the station to the corner of Hametown and Medina Road.”
The rezoning would be better because: “A new updated station with sage entrance and exit point built to standards of Summit County for lighting, water retention and traffic.”

Zoning:
See attachments for zoning maps.

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Comprehensive Plan: The Copley Township’s comprehensive plan’s future land use plan has this parcel designated as Office Use.

Current Zoning: From Copley Township’s Zoning Resolution, provided on Copley Township’s website: http://www.copley.oh.us
C-O/R (Office/Retail) Commercial District

A. Purpose
This District, comprising the C-2 District in the previous Zoning Resolution until such time as the township zoning map is amended to designate the location of the C-O/R District, is established to create an environment primarily, but not exclusively, for the development of well-located and designed office building sites to accommodate professional offices, sales offices, non-profit organizations and limited commercial activities ancillary to the office uses, including provision for some retail use. This District does not permit large-scale retail establishments or other similar high intensity retail and service uses.

B. Permitted Uses
1. Office Use.
2. Smaller retail goods and personal services establishments, up to a maximum of 2,500 sq. ft. that are ancillary to office uses, such as convenience stores, restaurants and personal care establishments. Such uses provide goods, products, merchandise and/or services directly to the consumer and such goods and/or services are typically available for immediate use or enjoyment in the case of personal services, or for immediate purchase and removal from the premises by the purchaser in the case of products and merchandise.
3. Accessory uses normally and regularly associated with the principal uses listed above.
4. Signs - As regulated by Article 8 of this Resolution.
5. Offices of governmental agencies at the federal, state, county or local level whose primary purpose is to serve the residents of Copley Township and surrounding communities.

C. Conditionally Permitted Uses
The Board of Zoning Appeals may issue Conditional Zoning Certificates for the uses listed below, subject to Article 7, Standards for Conditional Uses.
1. Bed and Breakfast.
2. Churches.
3. Clubs and Lodges.
4. Day Care Center.
5. Drive-up Window Facility.
7. Live/Work Use.
8. Schools/educational facilities.
9. Wind Turbines.

D. Prohibited Uses
1. Any proposed use that is not listed in the regulations for the C-O/R District as a permitted or conditional use, and which, in the opinion of the Zoning Inspector, is not in accordance with the Copley Township Comprehensive Land Use Plan or any current or future JEDD agreement, or that will be detrimental to or endanger the public health, safety or general welfare.
2. Any proposed use that is not listed in the regulations for the C-O/R District as a permitted or conditional use, and which in the opinion of the
Zoning Inspector, is not substantially similar, as regards its land-use impacts on surrounding properties, to a use currently operating lawfully as a permitted use in the C-O/R District. For the purposes of this section, land-use impacts include, but are not limited to: traffic, noise, stormwater control, parking, effect on the value of surrounding properties, and the effect of the proposed use on the normal and orderly development and improvement of the surrounding properties for uses permitted as-of right in the District.

Proposed Zoning:
C-GR General Retail Commercial District

A. Purpose
This District, comprising the C-3 District in the previous Zoning Resolution until such time as the township zoning map is amended to designate the location of the C-GR District, is established to provide for a wide range of retail and service uses, including high intensity retail and service uses, such as large-scale retail establishments, that meet the shopping needs of the community and the region. This District is an appropriate location for developments featuring multiple retail and service uses on large sites with parking and drives for multiple tenants and coordinated signage and landscaping.

B. Permitted Uses

1. Retail goods and personal services establishments that provide goods, products, merchandise and/or services directly to the consumer, including high intensity retail and service uses, such as large-scale retail establishments, that meet the shopping needs of the community and the region.
2. Restaurants and Nightclubs.
3. Accessory uses normally and regularly associated with the principal uses listed above.
4. Signs - As regulated by Article 8 of this Resolution.
5. Offices of governmental agencies at the federal, state, county and local level whose primary purpose is to serve the residents of Copley Township and surrounding communities.

C. Permitted Uses with Additional Restrictions
The following uses are permitted when conducted no closer than fifty (50) feet from an R-District. Where the C-GR District abuts an R-District, but is separated from the R-District by a street, the width of the street shall not be considered as part of the fifty (50) foot required setback.

1. Air-conditioning, cabinet making and carpentry, heating and plumbing, painting, roofing, sheet metal, and upholstering.
2. Dry cleaning, cleaning and dyeing, and laundry service.
3. Repair services for machinery and equipment establishments including: body shop, fender shop, motor shop, motor tune-ups, muffler shop, radiator shop, and tire repairing sales and service, including vulcanizing.
4. Uses that are substantially similar to those listed above as regards their land-use impacts on surrounding properties.

D. Conditionally Permitted
Uses The Board of Zoning Appeals may issue Conditional Zoning Certificates for the uses listed below, subject to Article 7, Standards for Conditional Uses.

1. Bed and Breakfast.
2. Churches.
3. Clubs and Lodges.
4. Day Care Center.
5. Drive-up Window Facility.
6. Gasoline service station – Full Service or Multi-Use.
7. Hotel/motel.
8. Life care facility.
10. Schools / educational facilities.
11. Theatre and assembly uses.
12. Wind Turbines.

STAFF REVIEW

1. Is the proposed zoning change reasonable given the nature of the surrounding area? The request is reasonable in that the property is along a state highway with frequent traffic. The site is has adjacent residential properties which would have to be adequately buffered from the commercial uses and the current parcel configuration would not be adequate for C-GR development without reconfiguration.

2. Can the property reasonably be used as currently zoned? Yes.

3. Is the proposed Map Amendment consistent with the objectives and goals of the Comprehensive Plan? No, the Comprehensive Plan’s Future land use plan shows this area as Office use, which is the current zoning.

4. Is the proposed zoning change consistent with the stated purpose and intent of the zoning resolution and the applicable districts? Per Copley Township’s Zoning Resolution the C-GR District is an appropriate location for developments featuring multiple retail and service uses on large sites with parking and drives for multiple tenants and coordinated signage and landscaping.

5. How will the proposed zoning change impact public services and facilities? Public services and facilities would not be impacted.

6. How will the proposed zoning change impact traffic, especially traffic safety? As the site is located along SR 18, Medina Rd. the proposed zoning change should not impact traffic significantly if rezoned and developed with the exception of an increase in traffic trying to turn left into the development/turning out of the development if allowed.

7. Will the proposed zoning change adversely affect adjoining properties? While there currently is a nonconforming use and Copley has several provisions in their zoning resolution to safeguard the integrity of residential neighborhoods including required buffering and setbacks, the increased intensity of the use could allow for larger developments with different operational hours which could lead to noise at hours that would adversely affect adjacent residential properties.
8. Is this an appropriate location for the proposed use or are there other available locations better suited for it? Yes, this is an appropriate location for the proposed use.

9. Will the proposed zoning change, change the character of the neighborhood? While there is currently a nonconforming use present that would be an allowed use in the proposed zoning change, the increased intensity of the use could allow for larger developments which typically include more parking and lighting.

10. Has there been a change in conditions that renders the original zoning inappropriate? No, however, the current use is non-conforming.

Comments:
- This parcels within this proposal are roughly 1 Acre each.
- The combined area of this proposal is roughly 4.9 Acres.
- The site can be used as currently zoned.
- The Copley township future land use plan calls for this parcel to remain Office Use as currently zoned.
- There are currently non-conforming structures on the site including a gasoline service station.
- Copley has several provisions in their zoning resolution to safeguard the integrity of residential neighborhoods including required buffering and setbacks.

Recommendation: Staff recommends DISAPPROVAL.
Proposal: The applicant has proposed that the Coventry Township Zoning Resolution be amended to allow for the addition of Article 28 Short Term Rentals to add regulations for short term rentals permit and use.

Proposed Text Amendments: Text that is struck through is text proposed for deletion, new proposed text is underlined.

ARTICLE 28.00 SHORT TERM RENTALS

Section 28.01 – PURPOSE

Article 28.00 is intended to protect and promote the health, safety, and general welfare of all the citizens of Coventry Township by requiring the registration and certification of short term rentals within the Township. It is also the intent of Article 28.00 to protect the integrity of residential neighborhoods while allowing property owners to receive remuneration from rental of a dwelling to help maintain the dwelling.

Section 28.02 – DEFINITIONS

Caretaker -- A caretaker is an individual, other than the short term rental permit holder, who is responsible for the oversight and care of the short term rental.

Parking Space – For purposes of Article 28.00, a parking space shall be a minimum of 10 feet by 20 feet, located off-street, outside of a road right of way, and in one of the following locations:

- a garage or carport
- a paved or gravel driveway
- a paved or gravel parking pad.
Renter – As used in this Resolution, a renter is an occupant or renter of a short term rental pursuant to a rental agreement.

Septic Approval, Current – As used in Article 28.00, Septic Approval is a form or document prepared by Summit County Health Department attesting to the rental property being compliant in regards to its home sewage treatment system (HSTS).

Short Term Rental Permit – A permit for a short term rental property located in a residential zoning district duly issued by Coventry Township Zoning department.

Special Events – In association with a short-term rental, a wedding, outdoor party, family reunion, or similar gathering that exceeds the maximum number of occupants allowed under the short-term rental permit.

Section 28.03 – APPLICABILITY

This section applies to all residential dwellings in Coventry Township and owners of those dwellings wherein the dwelling is rented for a period of less than 1 year.

A. Permit Required. A permit is required prior to the rental of any residential dwelling to be rented for a period of less than 1 year.
   1. A permit issued by the Township shall be valid for a period of 1 year or until the dwelling is sold. The cost of the permit fee shall be set by the township Trustees.

   2. A permit will be issued by Coventry Township Zoning within 30 days of receipt of a complete short term rental permit application, permit fee, and:
      (a) For properties on Akron Sanitary Sewer or Summit County Sanitary Sewer documentation attesting that is the case or:
      (b) For properties with a home sewage treatment system (HSTS) a current Summit County septic approval.

   3. The permit shall indicate the maximum number of guests that can be accommodated at the rental in accordance with the standards listed in Article 28 Section 28.04.D (Capacity Limit).

   4. A permit and permit holder shall be subject to all of the standards and penalties of the zoning resolution.

B. Application. An application provided by the Township for a short-term rental permit shall include the following at a minimum:
   1. Address of property.
   2. Property owner name(s).
3. Signature of property owner(s) and caretaker.

4. Contact information including: name, address, and 24-hour contact phone number for the owner of the property and the caretaker.
   (a) This information must be kept up to date in the Township’s records.
   (b) It is the permit holder’s responsibility to inform the Township of any change in caretaker or contact information for the permit holder or caretaker.

5. Number of bedrooms in the dwelling

6. Number of parking spaces as defined under Section 2

7. Site plan of the property including location of the dwelling, location and number of smoke and carbon monoxide detectors, driveway or other point of access, and designated parking spaces meeting the definition of a parking space under Section 2

Section 28.04 – SHORT TERM RENTAL STANDARDS

A. Parking. Parking for guests in a short term rental shall only be in identified parking spaces as defined in this resolution. No on-street parking shall be permitted in association with a short term rental.

B. Trash. Refuse and recyclables shall be stored in appropriate containers with tight-fitting lids and shall be regularly picked up by a licensed waste hauler.

C. Special Events. Special events as defined in this section are not permitted at a short term rental property.

D. Capacity Limit. The maximum number of renters to be accommodated shall be equal to the number of bedrooms multiplied by a factor of 2. The number of bedrooms shall be as certified by the applicant.

E. The permit issued by the township shall indicate the maximum number of renters that may be accommodated as calculated under these standards.

F. Contact. The permit holder or a caretaker representing the property owner must be available by telephone at all times and must be physically located within a 75 radius of the property in the event of an emergency or an issue that requires immediate attention.

G. Permit Number. The unique short term rental permit number issued by the Township
shall be:
1. Included in any advertisement for the rental and
2. Posted in a location visible from the street or road serving the property.

H. Quiet Hours. Short term rentals shall observe quiet hours between 11:00 pm and 7:00 am.

I. Pets. Pets shall be secured on the premises or on a leash at all times.

J. Applicable Rules. Renters shall be made aware of the following:
1. The rules applicable to the renters under Article 28.00
2. Summit County Noise Ordinance No. X
3. Summit County Fireworks Ordinance No. X

K. Signs. Under Article 19 Section 19.02.L.2 of the Coventry Township Zoning Resolution, a residence in the Township is permitted an on-site identification sign no larger than 2 square feet in area.

L. Campfires. Any campfires at a short-term rental property shall:
1. Be contained within a fire ring or other comparable container
2. Be located no less than 10 feet from any structure or any combustible material, be located away from overhanging tree branches, and be located such that the prevailing winds will not deliver smoke to adjacent residences.
3. Be under the direct supervision of an adult at all times.
4. Be fully extinguished prior to leaving the fire.

Section 28.05 – VIOLATIONS AND REVOCATION OF PERMIT

A. Violations. Any of the following will be considered a violation of the Coventry Township Zoning Resolution:
1. Failure to update information with the Township such as the caretaker’s or owner’s contact information in a timely manner.
2. Advertising a short-term rental for a capacity in excess of that allowed under the permit issued by the Township.
3. Failure of the permit holder or his/her designated caretaker to be available at any time during the tenure of an active short-term rental

4. Providing false or misleading information on the application for a short-term rental permit.

5. Failure to obtain a short-term rental permit when operating a short-term rental.

6. Failure to comply with any of the standards under Section 4.

B. Nuisance Per Se: Any short term rental permit holder or caretaker who violates any provision of this resolution shall be responsible for an infraction of the Coventry Township Zoning Resolution and shall be subject to a fine of not more than $500 dollars. The Township shall have the right to commence a civil action to enforce compliance with this resolution. Each day this resolution is violated shall be considered a separate violation.

C. Revocation. The Township may revoke a short-term rental permit following two separate violations on the same property under the same ownership within any single calendar year. The property owner may reapply for a permit the following calendar year and receive a short-term rental permit if all violations have been resolved.

Section 28.06- ENFORCEMENT OFFICIALS

In accordance with the Ohio Revised Code, the Coventry Township Zoning Inspector or an officer of the Summit County Sheriff department is hereby designated as authorized officials to issue violations directing alleged violators of this Resolution to appear in court.

Under the proposed text amendment short term rentals would be a conditionally permitted use in residential districts. The citation for the use would be:

Article 6.00. Section 6.01.B.7 Short term rentals.

If the proposed text change is adopted by the Coventry Trustees this line of text would be inserted on page 19 of the Coventry Township Zoning Resolution.

The regulations for short term rentals, if adopted, may then be added to the Coventry Township Zoning Resolution as Article 28- after Article 27 Riparian Setback and before the index. The recommendation to add as Article 28 rather than using the space of Article 26 is to save the township time revising the zoning resolution due to
less changes in pagination; Article 26 would be reserved for a future amendment able to fit on a single page.

Staff Research:
Columbus Ohio has recently also passed a short term rental regulations and require registration with the city. There regulations are:

Chapter 598 - HOTEL/MOTEL AND SHORT-TERM RENTAL OPERATIONS

598.01 - Definitions

(A) "Hotel/Motel" means any structure consisting of one or more buildings, with more than five sleeping rooms, that is kept, used, maintained, advertised, or held out to the public to be a place where sleeping accommodations are offered for pay to guests, including, but not limited to, such a structure denoted as a hotel, motel, motor hotel, lodge, motor lodge, bed and breakfast, or inn.

"Short-Term Rental" means any dwelling that is rented wholly or partly for a fee for less than thirty (30) consecutive days by persons other than the permanent occupant or owner from which the permanent occupant or owner receive monetary compensation.

(B) "Hotel/Motel Operation" means the occupancy of any guestroom or use of any hotel/motel facility.

"Short-Term Rental Operation" means the occupancy of any room or dwelling of any short-term rental.

(C) "Transient Guests" mean persons occupying a room or rooms for sleeping accommodations for less than thirty (30) consecutive days.

"Short-Term Rental Guests" means persons renting temporary lodging from a short-term rental host, or through a hosting platform on behalf of the short-term rental host, for less than thirty (30) consecutive days.

(D) "Guestroom" means a room offered to the public for a fee that contains, at a minimum, provisions for sleeping.

"Primary Residence" means a residence which is the usual place of return for housing as documented by at least two of the following: motor vehicle registration, driver's license, tax documents, lease copy or a utility bill. An owner or permanent occupant can only have one primary residence.

"Dwelling" means any building or structure which is occupied or intended for occupancy in whole or in part as a home, residence or sleeping place for one (1) or more persons.

(E) "Owner" means a corporation, firm, partnership, association, organization and any other group acting as a unit, or a person who has legal title to any structure or premises with or without accompanying actual possession thereof, and shall include the duly authorized agent or attorney, a purchaser, devisee, fiduciary and any person having a vested or contingent interest in the premises in question.

"Permanent Occupants" means persons who reside in a dwelling more than 51% of the time during a calendar year, and the dwelling in which persons reside shall be referred to as their primary residence.

"Short-Term Rental Host" means the owner or permanent occupant of a short-term rental who offer the short-term rental for temporary lodging.
"Operator" means any person who works at a hotel/motel in a capacity to facilitate the offering of guestrooms to guests, including, but not limited to, front desk workers.

"Hosting Platform" means a person or entity in whatever form or format that facilitates, through advertising or any other means, a short-term rental booking transaction for accommodations between a short-term rental host and short-term rental guest, including, but not limited to, reservations and/or collection of payment for such accommodations on behalf of the short-term rental host.

"Manager" means the general manager, shift manager, or any person in any supervisory position at the hotel/motel.

"Employee" means any person who earns qualifying wages, commissions or other type of compensation from the hotel/motel.

"Calls for Service" means any and all calls, including but not limited to those to law enforcement and/or the fire department, when those calls:

1. result in a representative being dispatched or directed to the hotel/motel or short-term rental;
2. allege evidence of criminal activity;
3. result in an arrest, charge or citation; or
4. find an imminent threat to safety of person(s) or property.

Calls for service shall not include calls made by employees of the hotel/motel or short-term rental property itself as officers to notify the radio room of their location, commonly associated with Columbus Division of Police Directive 3.17 (IV)(A)(1)(a)(3).

"Calls for Service Ratio" means the number of calls for service divided by the number of rooms in service at the hotel/motel or short-term rental.

"Director" means the director of public safety or the director's authorized designee.

"Interception device" as used in this chapter refers to the definition found in Chapter 2933.51(D) of Revised Code.

598.02 - Permit Required

(A) (1) No person, including but not limited to an owner, operator, manager, or employee shall engage in, conduct, or carry on, or permit to be engaged in, conducted or carried on, in or upon any premises in the city of Columbus, the operation of a hotel/motel without obtaining a permit in accordance with this chapter. It shall be prima facie evidence of hotel/motel operation if a guest is found to be occupying a guest room or if any person is found to be using a hotel/motel facility.

(2) No person, including but not limited to an owner, operator, manager or employee shall engage in, conduct, or carry on, or permit to be engaged in, conducted or carried on, in or upon any premises in the city of Columbus, the operation of a short-term rental without obtaining a permit in accordance with this chapter. It shall be prima facie evidence of a short-term rental operation if a short-term rental guest is found to be occupying or using a short-term rental.

(B) An application for a new permit may be submitted at any time to the Director. If the application is approved and a permit is issued, the permit shall take effect on the day of issuance, and shall expire on December 31st of the year in which it was issued.

(C) A permit to operate a hotel/motel or short-term rental shall be renewed by the applicant before the end of each calendar year.
The deadline for submitting an application for renewal shall be the first Monday of November of the year in which the permit is set to expire. Failure to renew shall result in expiration on December 31st. If a permit is successfully renewed, it shall be in effect for one calendar year, beginning on January 1st and expiring on December 31st of the same year.


598.03 - Application for Hotel/Motel or Short-Term Rental Permit, New and Renewal

(A) Application for a new hotel/motel or short-term rental permit, and/or for renewal of a permit, shall be made to the Director, upon approved forms, executed by the License Section. The Director shall establish associated permit fees and costs, with a portion of the short-term rental permit fees supporting affordable housing and homeownership opportunities in the City of Columbus.

(B) The application for a permit to operate a hotel/motel or short-term rental shall contain the following information:

1. Name of the applicant, including mailing address, telephone number, and email address. If the applicant is a corporation, firm, partnership, association, organization or other group acting as a unit, the applicant shall provide the name of the entity set forth exactly as shown on its articles of incorporation, mailing address, telephone number, and email address of an individual who is the statutory agent, president, or managing individual, the state in which the company is incorporated or registered, and the entity or corporation number.

   For an owner-occupied short-term rental application, the permanent occupant shall provide sufficient information to demonstrate compliance with the primary residency requirement as outlined in section 598.01(D);

2. Name of hotel/motel or short-term rental, including address, telephone number, and email address;

3. The legal owner or owners of the property, including mailing address, telephone number, and email address. If the property owner is a corporation, firm, partnership, association, organization or other group acting as a unit, the applicant shall provide the name of the entity set forth exactly as shown on its articles of incorporation as well as the mailing address, telephone number, and email address of an individual who is the statutory agent, president, or managing individual, the state in which the company is incorporated or registered, and the entity or corporation number;

4. If an owner of the property has executed a land contract, lease agreement, management agreement, or any other agreement separating the owner from control over the property and/or the hotel/motel or short-term rental, the applicant shall include a copy of said agreement along with the application;

5. The names and addresses of any other hotel motels or short-term rentals located in City of Columbus that the applicant or property owner has any interest in, including, but not limited to, ownership, licensure, or management;

6. Name of the hotel/motel operator or short-term rental host, including mailing address, telephone number, and email address;

7. The number of guestrooms in service in the hotel/motel or short-term rental;

8. The names of all hosting platforms that are used by any short-term rental host and proof of liability insurance for the unit rental.

9. A short-term rental host’s permit application shall contain an affidavit, which includes confirmation that the host and short-term rental are in compliance with all applicable local, state, and federal laws and regulations.
(C) The applicant must notify the Director of any change in information contained in the permit application within ten (10) days of the change.

(D) Any change in ownership of the hotel, the building, the dwelling or the business, change in hotel operator, or change in name of the hotel, or short-term rental host shall void the current permit and shall require submission of a new application and the issuance of a new permit.

(E) A short-term rental shall be assigned an individual permit account number that must be prominently posted with the unit on a hosting platform. Said valid permit shall be displayed but removed upon expiration. Those failing to display the permit are in violation of section 598.11(A); those found to be operating with an expired permit are in violation of section 598.15(A).


598.04 - Short-Term Rental Hosts and Hosting Platforms—Requirements

(A) Short-term rental host requirements. A short-term rental host may be the owner and/or the permanent occupant of the dwelling. The short-term rental host must provide one form of proof of identity, and two pieces of evidence that the dwelling is the host's primary residence or two pieces of evidence the host is the owner of the dwelling.

(1) One short-term rental permit per short-term rental operation may be issued.

(2) If a short-term rental host is not the property owner, but a permanent occupant of the dwelling, the host shall obtain permission from the property owner of the dwelling to register the dwelling on any hosting platform for use as a short-term rental.

(3) Short-term rental hosts must provide written notice to the short-term rental guest(s) of any known, non-obvious or concealed condition, whether man made or artificial, which may present a danger to the short-term rental guest(s) and must comply with and post in the short-term rental, as ordered by the Director under sections 501.05 and 501.06, all applicable local laws and regulations; and, designate a local 24 hour emergency contact for the property.

(4) Short-term rental hosts must comply with Section 2933.52 of the Revised Code. In the event a short-term rental host utilizes an indoor and/or outdoor interception device(s), the short-term rental host shall notify the short-term rental guest. In the event the short-term rental guest does not consent to the short-term rental host intercepting any oral, wire, or electronic communication for the duration of the short-term rental period, the short-term rental host must deactivate the indoor interception device(s) and shall not intercept any activity inside the dwelling.

(5) Short-term rental hosts must comply with the City of Columbus short-term rental excise taxes;

(6) Rentals for thirty (30) or more consecutive days by the same guest(s) will not be subject to short-term rental regulations or excise taxes.

(7) All short-term rental hosts must obtain liability insurance for the short-term rental. Each short-term rental shall at all times maintain the following insurance coverage meeting all of the following requirements:

(a) A general liability insurance policy or certificate that shall provide the minimum coverage;

i. Not less than three hundred thousand dollars ($300,000). Such policy or certificate must be issued by an insurance company that is admitted to do business in the state of Ohio or by an eligible surplus lines company or risk retention group.

ii. The policy or certificate shall provide notice of cancellation of insurance to the Director at least ten (10) days prior to cancellation.
iii. Any cancellation of insurance required by this section shall result in an automatic revocation of the respective short-term rental permit.

(B) No hosting platform shall list a short-term rental located within the City of Columbus without prominently displaying a valid permit account number for that short-term rental on any medium the hosting platform uses to advertise the short-term rental. Hosting platforms shall not advertise any short-term rental that does not have a valid permit; and,

If the Director notifies a hosting platform that a short-term rental permit is no longer valid, the hosting platform shall remove or deactivate all listings for that short-term rental operation within three (3) business days to prevent that short-term rental from being rented or advertised.

(C) Records required. Short-term rental hosts and hosting platforms that offer short-term rentals shall maintain and provide records as follows:

1. Upon request, each hosting platform advertising listings of short-term rentals located in the City of Columbus shall provide the Department with the following information for each short-term rental:
   - The physical address;
   - The name of the person who registered the unit, and
   - The dates and duration of stay in a short-term rental, the number of persons who were scheduled to stay each night, and the room rate charged for each short-term rental.

2. A short-term rental host that offers a short-term rental shall retain and, upon request, make available to the Director or law enforcement officials records to demonstrate compliance with this section, including, but not limited to, primary residency, the name of the short-term rental guest responsible for the reservation and/or who rented the unit on each night, dates and duration of stay in a short-term rental, and the rate charged for each short-term rental on each night.

3. Hosting platforms shall retain records for a period of at least four (4) years. Short-term rental hosts that do not use hosting platforms and provide units for short-term rental use shall retain records for a period of at least four (4) years.

4. If the request for records described in division (C) of this section is denied, any officer or employee of the division of police, division of fire, department of building and zoning services, code enforcement division, or Columbus Public Health may seek an administrative search warrant from a court of competent jurisdiction authorizing said inspection.

(D) If a hosting platform enters into a memorandum of understanding with the City covering the responsibilities for hosting platforms in division (B) and (C) of this section and the liability in section 598.16 of this Code, the hosting platform shall be exempt from those sections and not subject to liability under section 598.16. If a hosting platform does not execute a memorandum of understanding or an existing memorandum of understanding is no longer in force or effect, the hosting platform shall be subject to all applicable provisions of this Code.

(E) Nothing in this section shall be construed as permitting any person to obtain a permit or offer a short-term rental, where prohibited by any other provision of law.

(Ord. No. 2145-2018, § 1, 7-30-2018)

598.05 - Grounds for Denial

(A) The Director shall issue a new permit, or grant the renewal of an existing permit, except as provided in divisions (B) or (C) of this section.

(B) The Director shall deny any application for a new permit, or renewal of permit, if any of the following are shown to have occurred at the hotel/motel or short-term rental property:
(1) The applicant makes a material misrepresentation of fact on the application;

(2) The applicant or any owner of the hotel/motel or short-term rental has been convicted of violating sections 598.02(A)(1), 598.02(A)(2) or 598.08(B) of this chapter;

(3) Any owner, applicant, operator, or manager of the hotel/motel or short-term rental is shown to have been convicted of the act of prostitution or soliciting for prostitution, or an act that would constitute a violation of the Ohio Revised Code Chapters 2925 or 3719, on the premises of the hotel/motel or short-term rental in question, or any hotel/motel or short-term rental in which that individual has any interest in, including, but not limited to, ownership, licensure, or management;

(4) The applicant or owner of the hotel/motel does not have a valid State of Ohio license as defined in Ohio Revised Code Section 3731.03;

(5) The property on which the hotel/motel is located is not in good standing with the City of Columbus Income Tax Division;

(6) The short-term rental host is not in good standing with the City of Columbus Income Tax Division.

(C) The Director may deny any application for a new permit, or renewal of permit, if any of the following are shown to have occurred at the hotel/motel or short-term rental property:

(1) The hotel/motel or short-term rental has outstanding orders from the Columbus Division of Fire that have not been corrected;

(2) Pattern of felony drug related activity;

(3) Pattern of prostitution related activity or evidence of human trafficking;

(4) Pattern of gang related activity as defined in Ohio Revised Code Section 2923.41;

(5) Calls for service ratio greater than 1.2 during a consecutive twelve month period where at least one of the twelve months occurs within the calendar year in which an objection to the permit is lodged;

(6) The hotel/motel or short-term rental has a documented history of repeated offenses of violence as defined in Ohio Revised Code Section 2901.01;

(7) The owner, applicant, operator, or manager, or short-term rental host has not made a good faith effort to correct violations of sections 598.05 and 598.11 of this chapter, or has obstructed or interfered with correction of the violations;

(8) Any owner, applicant, operator, or manager of the hotel/motel, or short-term rental host is shown to have engaged in the act of prostitution or soliciting for prostitution, or an act that would constitute a violation of the Ohio Revised Code Chapters 2925 or 3719, on the premises of the hotel/motel or short-term rental in question, or any hotel/motel or short-term rental in which that individual has any interest in, including, but not limited to, ownership, licensure, or management.

(9) The applicant or any owner of the hotel/motel or short-term rental has hindered or prevented any inspection of the hotel/motel or short-term rental authorized by Chapter 501 of the Columbus City Code;

(10) The short-term rental has a documented history or repeated conduct that endangers neighborhood safety. This subdivision shall not apply to a hotel/motel.

(D) Evidence of conduct under divisions (B) and (C) of this section need only be that of de facto violation of law, evidence of conviction is not a prerequisite for denial unless specifically indicated.

598.06 - Objection, Revocation and Suspension of Hotel/Motel or Short-Term Rental Permit

(A) The License Section may submit an objection to the Director with regards to a new permit application or a renewal application if it is determined that activities set forth in divisions (B) or (C) of section 598.05 are shown to have occurred at the hotel/motel or short-term rental.

(B) At any time during the calendar year, the License Section may revoke and/or suspend a hotel/motel or short-term rental permit if it is determined that activities set forth in divisions (B) or (C) of section 598.05 are shown to have occurred at the hotel/motel or short-term rental. For short-term rentals, suspension, revocation and/or other penalties may occur if a unit is listed on a hosting platform without the required permit account number as required under section 598.03 (E).

(C) If a hotel/motel or short-term rental is operating without a permit, the Director or a designee may remove the transient guest(s) and issue a trespass warning.


598.07 - Hearing, Appeals and Remedy Process

(A) Any person who has been denied, suspended, or refused a license or renewal of a license under this chapter may appeal such decision as provided in Chapter 505 of the City Code.

(B) Action to issue, revoke, suspend or renew a permit may be stayed should the property take specific steps to remediate problems outlined in the notice of revocation and suspension that include but are not limited to some of the following actions:

1. Completion of approved safety and security training, and/or training to identify criminal activity such as human trafficking
2. 24 hour presence of special duty uniformed police or qualified security
3. Installation of safety and security measures such as fencing, lighting, public space surveillance, etc.
4. Voluntary sharing of guest information with law enforcement
5. Voluntary participation in right-of-entry programs with law enforcement agencies
6. Implementation of minimum age of 21 for check-in for lodging properties
7. Requirement of use of valid credit card at check in
8. And/or additional remediation actions as approved by the Director

(C) All potential remedies outlined in division ( ) of this section must be approved by the Director.


598.08 - Authority to Conduct Inspections

(A) Upon display of the proper credentials, any employee of the division of police, division of fire, department of building and zoning services, code enforcement division, or Columbus Public Health may be permitted to inspect the hotel/motel premises or short-term rental unit to ensure compliance with this chapter.

(B) If the request for inspection described in division (A) of this section is denied, any officer or employee of the division of police, division of fire, department of building and zoning services, code enforcement division, or Columbus Public Health may seek an administrative search warrant from a court of competent jurisdiction authorizing said inspection.
598.09 - Transfer of Hotel/Motel or Short-Term Rental Permit Not Permitted

(A) No permit under this chapter shall be transferable to another person, corporation, firm, partnership, association, organization or other group acting as a unit.

(B) No permit under this chapter shall be transferable to another hotel name or franchise, or hotel location or building, or short-term rental operation.

598.10 - Discrimination Prohibited

(A) An owner, permanent occupant, short-term rental host, or operator shall not:

(1) Decline a transient guest or short-term rental guest based on race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status or military status;

(2) Impose any different terms or conditions based on race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status or military status;

(2) Post any listing or make any statement that discourages or indicates a preference for or against any transient guest or short-term rental guest on account of race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status or military status.

598.11 - Hotel/Motel or Short-Term Rental Permit

(A) The hotel/motel or short-term rental shall maintain the permit on premises.

598.12 - Rules and Regulations

(A) The Director may promulgate and enforce reasonable rules and regulations to carry out the intent of this chapter in accordance with sections 501.05 and 501.06 of the Columbus City Codes.

598.13 - Severability

(A) In the event any section or provision of this chapter shall be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of this chapter as a whole or any part thereof other than the part so declared to be invalid or unconstitutional.
598.14 - Hotel/Motel Penalty

(A) Whoever violates section 598.02(A)(1) of this chapter shall be guilty of a misdemeanor of the first degree. Anyone who has previously been convicted of or pleaded guilty to an offense under this section shall be guilty of a misdemeanor of the first degree, and shall serve no less than 30 days in jail.

(B) Whoever violates section 598.11(A) of this chapter shall be guilty of a minor misdemeanor.


598.15 - Short-Term Rental Penalty

(A) Whoever violates section 598.02(A)(2) shall be guilty of an unclassified minor misdemeanor and shall be fined not more than two hundred fifty dollars ($250.00). Upon subsequent conviction, the penalty shall be a misdemeanor of the third degree and a fine of not more than five hundred dollars ($500.00) or imprisonment for not more than sixty (60) days or both in addition to any other penalties as imposed by this chapter.

All revenue from short-term rentals that are illegally obtained in violation of section 598.02(A)(2) shall be remitted to the City of Columbus.

(B) Whoever violates section 598.11(A) of this chapter shall be guilty of a minor misdemeanor.

(Ord. No. 2145-2018, § 1, 7-30-2018)

598.16 - Hosting Platform Penalty

Whoever violates section 598.04(B) shall be guilty of a fourth degree misdemeanor and shall be fined not more than two hundred fifty dollars ($250) or imprisonment of up to 30 days or both. Upon subsequent conviction, the penalty shall be a misdemeanor of the first degree and shall be fined not more than one thousand dollars ($1,000) or imprisonment of up to 180 days or both.

(Ord. No. 2145-2018, § 1, 7-30-2018)

Also attached is the application form from the City of Columbus.
SHORT-TERM RENTAL INFORMATION SHEET

REQUIRED DOCUMENTS:
- Short-Term Rental Application (Attached)
- Proof of Identity (i.e., State Issued Driver’s License/I.D. Card, Passport, Military I.D., Government Issued I.D.)
- One of the Following Documents (If Short-Term Rental is primary residence):
  - Motor Vehicle Registration
  - Tax Documents
  - Lease Copy
  - Utility Bill
- Proof of General Liability Insurance
  - Minimum of $300,000
  - City of Columbus-License Section listed as Certification Holder with a 10-day notice of cancellation
- Letter of Good Standing from the City Tax Division
- Copy of the agreement if the owner of the property has executed a land contract, lease agreement, management agreement, or any other agreement separating the owner from control over the property and/or the short-term rental.
- Names and addresses of any other hotel/motel/short-term rental located in the City of Columbus that the applicant or property owner has any interest in, including but not limited to ownership, licensure or management.
- Affidavit including confirmation that the host and short-term rental are in compliance with all applicable local, state and federal laws and regulations. (Covered on page 3 of the application)
- BCI Background Check
  (If conducted at another authorized WebCheck agency, results must be directly mailed to the License Section)

PRICING:
- Application fee - $20.00
- BCI Background Check fee - $32.00
- Primary Residence Permit fee - $75.00
- Non-Primary Residence Permit fee - $150.00

OFFICE LOCATION & HOURS:
4252 Groves Road
Columbus, OH 43232

Monday - Friday
8:00 a.m. to 3:30 p.m.
# SHORT-TERM RENTAL APPLICATION

- **NEW**
- **RENEWAL**

- **OWNER OCCUPIED**
- **NON-OWNER OCCUPIED**

## RESIDENTIAL OWNER INFORMATION

<table>
<thead>
<tr>
<th>Field</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full Name</td>
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<tr>
<td>Date of Birth</td>
<td></td>
</tr>
<tr>
<td>Mailing Address</td>
<td></td>
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<tr>
<td>City</td>
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<td>State</td>
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<tr>
<td>Zip</td>
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<tr>
<td>Phone</td>
<td></td>
</tr>
<tr>
<td>Email</td>
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</table>

## BUSINESS OWNER INFORMATION

<table>
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<tr>
<th>Field</th>
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</thead>
<tbody>
<tr>
<td>Business Name (as filed with SOS)</td>
<td></td>
</tr>
<tr>
<td>Business Mailing Address (where incorporated)</td>
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</tr>
<tr>
<td>Entity/Corporation #</td>
<td></td>
</tr>
</tbody>
</table>

## AUTHORIZED AGENT INFORMATION

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<tbody>
<tr>
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<tr>
<td>Phone</td>
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<td>Email</td>
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</tr>
</tbody>
</table>

## APPLICANT BACKGROUND INFORMATION

- **Have you ever been convicted of a felony?**
  - [ ] Yes
  - [ ] No

  If yes, list all felony convictions that occurred in the United States within the past seven (7) years:

- **Are you on felony probation or parole?**
  - [ ] Yes
  - [ ] No

  If yes, date began:

- **Have you ever been required to register as a sexual offender?**
  - [ ] Yes
  - [ ] No

  If yes, date registered:

  - Have you had a City of Columbus license and/or permit revoked, refused, or suspended within the past three (3) years?
    - [ ] Yes
    - [ ] No

## SHORT-TERM PROPERTY INFORMATION

<table>
<thead>
<tr>
<th>Field</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Address</td>
<td></td>
</tr>
<tr>
<td>City</td>
<td></td>
</tr>
<tr>
<td>State</td>
<td></td>
</tr>
<tr>
<td>Zip</td>
<td></td>
</tr>
</tbody>
</table>
Number of Guestrooms Available:  

List All Affiliated Online Hosting Platforms:  

### 24-HOUR POINT OF CONTACT INFORMATION

**Full Name:**  

**Residential Address:**  

**City:**  

**State:**  

**Zip:**  

**Phone:**  

**Email:**  

If the owner of the property has executed a land contract, lease agreement, management agreement, or any other agreement separating the owner from control over the property, applicant shall include a copy of the agreement along with the application.

I have read, understood, and meet all provisions set forth by the Columbus City Code including all Fire, Health, Safety and Zoning requirements. (C.C.C. 501 & 598)  

[ ] Yes  

[ ] No  

Please be advised this section is voluntarily optional and exists for the convenience of the applicant:  

The applicant expressly authorizes the Licensing Division of the City of Columbus, Department of Public Safety to contact the Income Tax Division of the City of Columbus - City Auditor and in turn expressly authorizes the Income Tax Division of the City of Columbus - City Auditor to provide access to the Licensing Division of the City of Columbus, Department of Public Safety current municipal tax information related to the applicant listed above in relation to the Short-Term Rental Permit for which application is being made. Any information provided to the Licensing Division will be held in strict confidence at all times and shall not be disclosed to any other department or division of the City of Columbus, nor used for any other purpose other than as stated.  

[ ] Yes  

[ ] No  

**PER REGULATIONS SET IN COLUMBUS CITY CODE 501.05(E), THE LICENSE SECTION HAS THE POWER TO MAKE RULES REGARDING THE “QUALIFICATIONS OF THE APPLICANTS AND THE CONDITIONS PRECEDENT THE APPLICANTS MUST MEET PRIOR TO THE ACQUISITION OF LICENSES.” FOLLOWING THIS DIRECTION, ALL APPLICANTS MUST BE ABLE TO READ, SPEAK, AND COMPREHEND THE ENGLISH LANGUAGE IN ORDER TO OBTAIN A VALID LICENSE. BY INITIALING ON THE LINE BELOW YOU AGREE THAT YOU ARE ABLE TO FULFILL THIS REQUIREMENT.**  

__________________________  

INITIALS  

ALL INFORMATION CONTAINED IN THIS APPLICATION IS SUBJECT TO DISCLOSURE AS A MATTER OF PUBLIC RECORD. ANY FALSE STATEMENT MADE OR GIVEN IN THIS APPLICATION SHALL RESULT IN DENIAL, OR FUTURE REVOCATION OF THIS LICENSE, AS WELL AS CRIMINAL PROSECUTION UNDER CHAPTER 2321.13 (A-3), (A-5), AND CHAPTERS 501 AND 540 IN THE COLUMBUS CITY CODE.  

State of Ohio, County of Franklin  

__________________________, being duly sworn, deposes and says he or she is the individual (Print Applicant’s Name) making the foregoing application; that he or she is knowledgeable with respect to that which is to be licensed; and that the answers to the foregoing questions and other statements contained herein are true of his or her own knowledge and belief.  

__________________________  

(Applicant’s Signature)  

Sworn to before me and subscribed in my presence this _____ day of ____________________, 20_____.  

__________________________  

Notary or Agent of Director of Public Safety  

Must be SIGNED, DATED, and NOTARIZED.
**Staff Comments:**
Staff recommends that Coventry Township add language to Section 28.04 – SHORT TERM RENTAL STANDARDS J: to include reference to the Summit County Residential Rental Registry. Summit County requires that residential rental property be registered with the Summit County Fiscal Office. Residential rental property means: real property, one or more dwelling units leased or rented solely for residential purposes, mobile home park or site where lots are leased for parking mobile/manufactured homes/RV's for residential purposes.
If the primary use of the property is residential rental the property needs to be registered.
PLEASE NOTE: This is a one-time registration with the county and no fee is required. You must register your residential rental property with the county even if you have already registered your rental property with another municipality.

**Recommendation:** Staff recommends to the Summit County Planning Commission that the proposed text amendments be **APPROVED**.
Item No.: 3  
Meeting: April 25, 2018  
Applicant: Twinsburg Township Zoning Commission  
Proposal: Addition of Regulations of Garages in Residential Districts  
Processor: Stephen Knittel  

Proposal: Twinsburg Township Zoning Commission has proposed that the Twinsburg Township Zoning Resolution be amended to unify and address concerns regarding language pertaining to private garages in the Township’s five residential zoning districts.

Proposed Text Amendments: Text that is struck through is text proposed for deletion, new proposed text is underlined.

TOWNSHIP OF TWINSBURG

COUNTY OF SUMMIT  
STATE OF OHIO

RESOLUTION NO. 17-99 As Amended

A RESOLUTION TO MODIFY PRIVATE GARAGE REQUIREMENTS  
BY AMENDING VARIOUS SECTIONS OF CHAPTERS 7, 8, 9, 10, 11, 17, AND 21,  
ALL OF THE ZONING RESOLUTION OF THE TOWNSHIP OF TWINSBURG

WHEREAS, an amendment to the Zoning Resolution of the Township of Twinsburg has been proposed in a manner as provided for in Chapter 519 of the Ohio Revised Code; and

WHEREAS, on _________________ the Summit County Planning Commission considered said proposed amendment and forwarded its recommendation on said proposed amendment to the Twinsburg Township Zoning Commission (the “Zoning Commission”); and

WHEREAS, on _________________ the Zoning Commission considered said proposed amendment, including holding a public hearing on said proposed amendment as required, and forwarded its recommendation on said proposed amendment to this Board;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Township of Twinsburg, County of Summit, State of Ohio:
SECTION 1. CHAPTER 7, R-1 RESIDENTIAL DISTRICT SINGLE AND TWO-FAMILY LOW DENSITY RESIDENTIAL DISTRICT, is hereby amended to read as follows:

“CHAPTER 7

R-1 RESIDENTIAL DISTRICT
SINGLE AND TWO-FAMILY LOW DENSITY RESIDENTIAL DISTRICT

7.1-7.10 [no change]

7.11 Private Garages. Every new dwelling building or unit shall have an attached or detached private garage with a minimum area of not less than four hundred (400) square feet or a maximum of and not more than eight hundred fifty (850) square feet, and designed to accommodate not less than two passenger automobiles.

7.12 [no change]”

SECTION 2. CHAPTER 8, R-2 RESIDENTIAL DISTRICT SINGLE AND TWO-FAMILY MEDIUM DENSITY RESIDENTIAL DISTRICT, is hereby amended to read as follows:

“CHAPTER 8

R-2 RESIDENTIAL DISTRICT
SINGLE AND TWO-FAMILY MEDIUM DENSITY RESIDENTIAL DISTRICT

8.1-8.10 [no change]

8.11 Private Garages. Every new dwelling unit shall have an attached or detached private garages with a minimum area of not less than four hundred (400) square feet and a maximum of not more than eight hundred fifty (850) square feet, and designed to accommodate not less than two passenger automobiles.

8.12 [no change]”
SECTION 3. CHAPTER 9, R-3 RESIDENTIAL DISTRICT SINGLE FAMILY HIGH DENSITY RESIDENTIAL DISTRICT, is hereby amended to read as follows:

“CHAPTER 9

R-3 RESIDENTIAL DISTRICT
SINGLE FAMILY HIGH DENSITY RESIDENTIAL DISTRICT

9.1-9.11 [no change]

9.12 Private Garages. Every new dwelling, building or unit shall have an attached or detached private garage with an area of not less than four hundred (400) square feet and not more than eight hundred fifty (850) square feet, and designed to accommodate not less than two passenger automobiles.”

SECTION 4. CHAPTER 10, R-4 RESIDENTIAL DISTRICT SINGLE FAMILY LOW DENSITY RESIDENTIAL DISTRICT, is hereby amended to read as follows:

“CHAPTER 10

R-4 RESIDENTIAL DISTRICT
SINGLE FAMILY LOW DENSITY RESIDENTIAL DISTRICT

10.1-10.10 [no change]

10.11 Private Garages. Every new dwelling, building or unit shall have an attached or detached private garage with an area of not less than four hundred (400) square feet and not more than eight hundred fifty (850) square feet, and designed to accommodate not less than two passenger automobiles.

10.12 [no change]”
SECTION 5. CHAPTER 11, R-5 RESIDENTIAL DISTRICT SINGLE FAMILY LOW DENSITY RESIDENTIAL DISTRICT, is hereby amended to read as follows:

“CHAPTER 11

R-5 RESIDENTIAL DISTRICT
SINGLE FAMILY LOW DENSITY RESIDENTIAL DISTRICT

11.1-11.10 [no change]

11.11 Private Garages. Every new dwelling building or unit shall have an attached or detached private garage with an area of not less than four hundred (400) square feet and not more than eight hundred fifty (850) square feet, and designed to accommodate not less than two passenger automobiles.

11.12 [no change]”

SECTION 6. CHAPTER 17, GENERAL PROVISIONS, is hereby amended to read as follows:

“CHAPTER 17

GENERAL PROVISIONS

17.1-17.17 [no change]

17.18 Accessory Buildings. An accessory building attached to the principal building, on a lot, shall be made structurally a part thereof, and shall comply in all respects with the requirements of this Zoning Resolution applicable to the principal building. A detached accessory building shall conform to the following requirements:

a-g. [no change]

h. Exemptions. Detached objects including swing sets, play structures, etc., shall be exempted from the provisions of subsection f, above, provided that they do not require a building permit pursuant to the building regulations adopted and administered by the County. Where a detached private garage in an R District is the only private garage on a lot and, as such, required to comply with R district private garage requirements on the lot, such accessory building shall be exempted from the aggregate area provisions of, and shall not be included in the maximum area calculations for the lot per subsection g, above. In
addition, landscaping and other decorative or ornamental features shall be exempted from the provisions of subsections b through g, inclusive, above.

17.19-17.20 [no change]”

SECTION 7. CHAPTER 21, DEFINITIONS, is hereby amended to read as follows:

“CHAPTER 21
DEFINITIONS

“21.1-21.40 [no change]

21.41 Garages, Parking Areas, Service Stations.

a. Private Garage is a fully enclosed structure accessory to and part of either attached to or detached from a main building, for single, two-family or multi-family dwellings, used for the parking or temporary storage of the occupants’ passenger automobiles and from which no business or service shall be conducted for remuneration except with respect to a home occupation as herein provided.

b-g. [no change]

21.42-21.118 [no change]”

SECTION 8. Meetings. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including but not limited to Section 121.22 of the Revised Code.

SECTION 9. Effective Date. This Resolution shall become effective 30 days after the date of adoption of this Resolution or at the earliest date allowed by law.

This Resolution is hereby declared to have been adopted by the Board of Trustees of the Township of Twinsburg, County of Summit, State of Ohio, at a meeting, called and held on the ?? day of ?????, 2019.
YEAS:
NEAS:
ABSTAIN:

BOARD OF TRUSTEES

________________________________
Thomas O. Schmidt, Chair

________________________________
James C. Balogh, Vice Chair

________________________________
Jamey DeFabio, Trustee

CERTIFICATION

I, the undersigned, do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the Board of Trustees of the Township of Twinsburg, County of Summit, State of Ohio, at a meeting held on the ?? day of ?????, 2019, and that I am duly authorized to execute this certification.

________________________________
Tania L. Johnson, Fiscal Officer

#17-99 aa - residential_garages_20190403
Staff Comments:

Summary of the changes proposed:

CHAPTER 7 - 11, R-1 RESIDENTIAL DISTRICTS

Amending: “Private Garages. Every new dwelling building or unit shall have an attached or detached private garage with a minimum area of not less than four hundred (400) square feet or a maximum of and not more than eight hundred fifty (850) square feet, and designed to accommodate not less than two passenger automobiles.”

CHAPTER 17, GENERAL PROVISIONS

Addition of exemption text for “where a detached private garage in an R District is the only private garage on a lot and as such, required to comply with R district private garage requirements on the lot, such accessory building shall be exempted from the aggregate area provisions of, and shall not be included in the maximum area calculations for the lot per subsection g, above.”

CHAPTER 21, DEFINITIONS

Amending of “Garages, Parking Areas, Service Stations,” “Private Garage is a fully enclosed structure accessory to and part of either attached to or detached from a main building, for single, two-family or multi-family dwellings, used for the parking or temporary storage of the occupants’ passenger automobiles and from which no business or service shall be conducted for remuneration except with respect to a home occupation as herein provided.”

Recommendation: Staff recommends to the Summit County Planning Commission that the proposed text amendments be APPROVED.
Proposal: The applicant has proposed that the Northfield Center Township Zoning Resolution Section 640.03 and 660.03 be amended to add text regulating public notification of adjacent property owners of an appeal of the board of zoning appeals.

Proposed Text Amendments: Text that is struck through is text proposed for deletion, new proposed text is underlined.

Sec. 640.03 PUBLIC HEARING BY THE BOARD.

Upon receipt of the material related to the proposed action, the Board of Zoning Appeals shall set a date for a public hearing to consider the appeal. Notice of such hearing stating the time, place, and object of the hearing shall be sent by first class mail, addressed to the parties making the request for appeal, at least 10 days prior to the date of the scheduled hearing. Not less than 10 days prior to the date set for such hearing or appeal, written notice of such hearing shall be sent by first class mail to any person, firm, or corporation owning premises located within 300 feet of the property line to which such appeal or application relates the parties contiguous and across the street to which such appeal or application relates. Failure of delivery of such notice shall not invalidate action taken on such application. Such hearing shall be advertised by one (1) publication in one or more newspapers of general circulation in the Township at least 10 days before the date of such hearing. The Board may recess such hearings from time to time, and, if the time and place of the continued hearing is publicly announced at the time of adjournment, no further notice shall be required. Any person may appear before the Board at the public hearing on the application and state their reasons for or against the proposal.

Section 660.03 “Amendments Initiated by Property Owners”

F. Notice to Property Owners. If the proposed amendment intends to rezone or redistrict ten or fewer parcels of land, as listed on the County Auditor’s current tax list, written notice of the hearing shall be mailed by the Zoning Commission, by first class mail, at least 10 days before the day of the public hearing to all owners of property within 500 feet of such area proposed contiguous to and directly across the street from the area proposed to be rezoned or
redistricted, to the names and addresses of owners as shown upon the records of Summit County, or the list of property owners furnished by the applicant. The notice shall contain the same information as required of notices published in newspapers as specified in Subsection (E), above. Failure of delivery of such notice shall not invalidate any such amendment.

**Summary of the changes proposed:**
The Zoning Commission wants to eliminate any referrals to the 300 or 500 foot notification requirements that we currently have in the Zoning Resolution.

**Staff Comments:**
The proposed changes reflect similar language that is currently used by Twinsburg Township.

**Recommendation:** Staff recommends to the Summit County Planning Commission that the proposed text amendments be **APPROVED** with due consideration to staff comments.
Proposal: The applicant has proposed that the Northfield Center Township Zoning Resolution Chapter 130 Definitions be amended to add more detail and new definitions in regards to signage.

Proposed Text Amendments: Text that is struck through is text proposed for deletion, new proposed text is underlined.

Proposed text amendments to Chapter 130 “Definitions”:

Remove the current definition for “Electronic Message Sign”

Remove the current definition for “Sign”

Add the following definitions to Chapter 130:

A-Frame or Sandwich Board Sign: A sign made of wood, cardboard, plastic or other lightweight and rigid material having the capability to stand on its own rigid supporting frame in the form of a triangle or an inverted V and being portable and movable. Also known as a sandwich board sign.

Awning Sign: any hood or awning made of cloth or with metal frames attached to a building and supported by the ground or sidewalk.
**Blade or Projecting Sign**: a sign that is attached to the wall of a building and is perpendicular to the flow of either pedestrian or vehicular traffic.

**Bulletin Board**: an announcement sign which directs attention to and is located on the lot of a public or semipublic institution.

**Canopy Sign**: a sign attached to the soffit or facia of a canopy, covered entrance or walkway, or to a permanent awning or marquee.

**Changeable Copy Sign**: a sign designed to display multiple or changing messages whether by manual, mechanical or electronic means. Such signs are characterized by changeable letters, symbols or numerals that are not permanently affixed to the structure, framing or background allowing the letters, characters, or graphics to be modified from time to time manually or by electronic or mechanical devices. Electronically changed signs may include either electronic message boards or digital displays and are defined separately.

**Dilapidation**: Dilapidation includes any sign where elements of the sign area or background have portions of the finished material missing, broken, peeling or illegible; where the structural support is visibly bent, broken, dented, rusted, peeling, corroded, or loose; or where the sign or
its elements are not in compliance with the adopted electrical code and/or the Building and Housing Code.

**Directional:** A sign indicating a direction or location to which traffic, whether pedestrian or vehicular, is requested to move within the parcel for the purpose of traffic control and public safety.

**Electronic Sign:** A changeable copy sign for which the text, letters, numbers, pictures, or symbols forming the informational portion of the sign consists of flashing, intermittent, or moving lights, including any LED screen or any other type of video display. This definition does not include signs that have internal or indirect illumination that is kept stationary or constant in intensity and color at all times when such sign is in use or any government sign located within the right-of-way that functions as a traffic-control device and is described and identified in the Ohio Manual of Uniform Traffic Control Devices.

**Free-Standing Ground Sign:** A stationary sign which is not affixed to a building or supported by a pole or poles. It may be supported from the ground by means of a free-standing wall, monument, or other structural support system.
**Marquee Sign:** A sign attached to the soffit or fascia of a marquee, to a roof over entrance or to a permanent awning.

**Permanent Sign:** A sign permanently affixed or attached to the ground or a structure and which cannot be removed without special handling, such as removing or dismantling the foundation or a portion thereof, fasteners, adhesives or similar materials providing support or structural integrity for the sign.

**Roof Sign:** A sign placed, inscribed or supported upon a roof or upon any structure which extends above the roof line of any building.

**Sign:** Any display, figure, painting, drawing, placard, poster or other device, visible from a public way, which is designed, intended or used to convey a message, advertise, inform or direct attention to a person, institution, organization, activity, place, object or product. It may be a structure or part thereof or it may be painted on or attached directly or indirectly to a structure. It may be painted on stone or be formed out of shrubbery.

**Sign Area:** For a freestanding sign, is the space enclosed within the extreme edges of the sign for each sign face, not including the supporting structure. For a Wall or Panel sign, where attached directly to a building wall or surface, the space within the outline enclosing all the characters of the words, numbers or design.

**Sign Face:** The entire display surface area of a sign upon, against, or through which copy is placed.
Temporary: A banner, pennant, poster, or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood, or other like materials that appears to be intended or is determined by the Zoning Inspector to be displayed for a limited period of time.

Wall or Panel Sign: A sign integral with the exterior face of an exterior wall of a building or attached to the wall or parallel with the wall and projecting not more than twelve inches therefrom.

Window Sign: A sign painted, attached or affixed to the interior or exterior surface of a window or door of a building.

Staff Comments:
Both Dilapidation and Temporary are words that may be used elsewhere in the code, the definitions proposed are strictly about signs. Staff would recommend having them read as “Sign Dilapidation” and “Temporary Sign”
Staff recommends considering adding references to the Township Zoning Resolution Section after the definition of “Sign Area” (Section 420.10) since the section includes graphics to help explain the Township’s computation methodology.

Recommendation: Staff recommends to the Summit County Planning Commission that the proposed text amendments be APPROVED with due consideration to staff comments.
Proposal: The applicant has proposed that the Northfield Center Township Zoning Resolution Section 420 be rewritten.

Proposed Text Amendments: Text that is struck through is text proposed for deletion, new proposed text is underlined.

CHAPTER 420 SIGN REGULATIONS

420.01 PURPOSES.
The purpose of this chapter is to provide for the type, design, location and size of signs and to regulate their installation and maintenance, in order to:

(a) Promote and maintain attractive and high-quality Residential Districts and promote attractive public facilities;

(b) Provide for reasonable and appropriate methods for identifying establishments in business and industrial districts by relating the size, type and design of signs to the size, type and design of the business and industrial establishments;

(c) Promote the public health, safety and welfare by avoiding conflicts between signs and traffic control devices, avoiding traffic hazards and reducing visual distractions and obstructions;

(d) Control the design of signs so that their appearance will be aesthetically harmonious with an overall urban design for the area by:

1. Assuring the appropriate design, architectural scale and placement of signs;

2. Assuring that signs are placed in an orderly and attractive manner on the building or the site;

3. Assuring that the amount of information on the sign is legible and achieves
the intended purpose.

(e) Promote the most desirable developments and economic activity in accordance with the objectives of the Township; and

(f) Protect property values.

420.02 COMPLIANCE; APPLICATION OF CHAPTER.

(a) Signs shall be designed, erected, altered, reconstructed, moved and maintained, in whole or in part, in accordance with the provisions of this chapter.

(b) The construction, erection, safety and maintenance of all signs shall be in accordance with this chapter, but the provisions of this chapter shall not amend or in any way interfere with the codes, rules or regulations governing traffic signs within the Township.

(c) The display of official public notices, or the flag, emblem or insignia of an official governmental body, shall not be governed by the provisions of this chapter.

420.03 PROHIBITED SIGNS.

Signs shall be permitted in each use district and regulated as to type, size and location as provided in this chapter. Unless otherwise specifically permitted herein, the following signs are prohibited in all districts.

(a) Pennants, ribbons, streamers, strings of light bulbs, spinners, feathered flag banner or sign or other similar devices;
(b) Mobile, portable, or wheeled signs;
(c) Signs placed on parked vehicles or trailers for the purpose of advertising a product or business located on the same or adjacent property, excepting an identification sign which is affixed to a vehicle regularly operated in the pursuance of day-to-day business or activity of an enterprise;
(d) Roof signs;
(e) Inflatable images;
(f) Signs containing flashing, moving, intermittent, or running lights or which imitate traffic control devices provided, however, that changeable copy signs shall be permitted as regulated by this ordinance;
(g) Signs which employ any part or element which revolves, rotates, whirls, spins, flutters or otherwise makes use of motion to attract attention;
(h) Beacons or searchlights;
(i) High intensity strobe lights;
(j) Signs which hang less than eight and one-half (8.5) feet above a pedestrian
walkway or less than fourteen (14) feet above a vehicular path;
(k) Window signs except as specifically authorized herein; and
(l) Window frame lighting: light emitting diode or other types of bar, string, or strand lighting, whether white or another color, within or directly outside of window frames of their buildings.
(m) Neon unless used in window signs or as approved by the Zoning Inspector.

420.04 PERMIT REQUIRED.
(a) A zoning permit is required prior to the display, erection or alteration of any sign except as otherwise provided in this Chapter. Repairs or maintenance not involving structural or electrical changes may be permitted without obtaining a permit.

(b) Routine maintenance or changing parts of signs shall not be considered an alteration of a sign, provided that the maintenance or change of parts does not alter the type of installation, surface area, heights, or otherwise make the sign non-conforming.

(c) Applications for sign permits shall be made upon forms provided by the Zoning Inspector.

(d) Upon determining that a sign application is complete and accurate, the Zoning Inspector shall approve the application.

(e) Any sign application which requires a variance shall first be submitted to the Board of Zoning Appeals for consideration.

(f) No signs except highway safety signs shall extend into any right-of-way.

420.05 VALIDITY OF PERMIT.
If the work authorized under a sign permit has not been completed within one (1) year after the date of issuance, the permit shall become null and void.

420.06 FEES.
Fees for sign permits shall be charged in accordance with the schedule of sign fees as established by Trustee resolution.

420.07 REVOCATION.
The Zoning Inspector is hereby authorized to revoke any permit issued by him upon failure of the holder thereof to comply with any provisions of this chapter.

420.08 FAILURE TO OBTAIN A PERMIT.
Any person who erects, alters or moves a permanent sign after the effective date of this Chapter without obtaining a permit as required by this section, shall be subject
420.09 PERMITS NOT REQUIRED.
Signs which do not require a zoning permit include:

(a) Official notices or advertisements posted or displayed by or under the direction of any public or court officer in the performance of official or directed duties, provided, that all such signs must be removed no more than ten (10) days after their purpose has been accomplished.

(b) Any sign wholly within the confines of a building and oriented so as to be out of view from outside the building.

(c) One sign per entrance door in a non-residential district which shall be limited to two (2) square feet in size and located within five (5) square feet of the entrance door.

(d) Signs located within the grounds of public facilities such as baseball fields, stadiums, community centers, and other public facilities placed by a governmental entity.

(e) Any sign not expressly requiring a permit under this chapter.

(f) Sign faces that are visible from the public right of way but are not intended for public view and are not discernible in message due to the small size of the sign’s text, copy, or graphics as viewed from the public Right of Way. Such signs shall not exceed twelve (12) square feet in area and shall not exceed 6 feet in height.

(g) Signs that are an integral part of the original construction of vending or similar machines, fuel pumps, or similar devices;

(h) Signs that are constructed of paper, cloth, or similar expendable material, attached to the inside of a window, do not exceed 8 square feet in sign face area, and do not cover more than 25% of the area of the window pane; and

(i) Temporary Ground Signs as regulated in Residential districts set forth in Sections 420.12 and 420.13.

(j) Political yard signs and political advertising signs protected by the First Amendment of the United States Constitution.

420.10 MEASUREMENT DETERMINATIONS.
The following shall be the basis for determining sign area, sign height, and building or tenant frontage.

(a) **Sign Area and Dimensions.**

Sign area shall include the entire face of the sign from edge to edge, including any frame or structure around the perimeter of the sign, provided however, that a proportional framing or structure around the display area may be excluded by the Planning Commission.

(1) For a sign comprised of individual letters, figures or elements on a wall or similar surface of a building or structure, or an irregular shaped free-standing sign, the area of the sign shall be the area of not more than three adjacent regular geometric shapes that encompasses the perimeter of all the elements in the display. Regular geometric shapes are squares, rectangles, circles, ovals, triangles, and trapezoids.

(2) When separate elements are organized to form a single sign, but the elements are separated by open space, the area of the sign shall include the space between the elements.
(3) For free-standing signs:

A. The sign area shall be computed by the measurement of one (1) of the faces when two (2) identical display faces are joined, are parallel or are within 30 degrees of being parallel to each other and are at no point separated by a distance that exceeds two feet.

B. The portion of a solid sign base, up to a maximum height of two (2) feet, may be excluded from the calculated sign area provided such base is adequately screened by landscaping as determined by the Planning Commission.

(4) Air between a projecting sign and the wall to which it is attached and detached lighting fixtures and associated brackets shall not be included in the calculation of sign area.

(b) **Sign Height.**

The height of a free-standing sign shall be measured from the average natural grade at the base of the sign or support structure to the tallest element of the
sign or its support structure. A free-standing sign on a man-made base, including a graded earth mound, shall be measured from the average site grade prior to any grade change in the area of a sign.

(c) **Building Frontage and Building Unit.**

For the purposes of these sign regulations, the length of the building wall that faces a public street other than a limited access highway or that contains a public entrance to the uses therein shall be considered the building frontage.

1. The building frontage shall be measured along such building wall between the exterior faces of the exterior side walls.
2. In the case of an irregular wall surface, a single straight line extended along such wall surface shall be used to measure the length.
3. A building is considered to have two frontages whenever the lot fronts on two or more streets or the building has a public entrance on a wall other than the wall that faces the street. The property owner shall determine which wall shall be the primary building frontage and which wall shall be the secondary building frontage. Only one outside wall of any business shall be considered its primary frontage and only one additional wall considered its secondary frontage.
4. For multi-occupant buildings, the portion of a building that is owned or leased by a single occupant shall be considered a building unit. The building frontage for a building unit shall be measured from the centerline of the party walls defining the building unit.

### 420.11 GENERAL PROVISIONS.

(a) All signs shall be of substantial construction so as to withstand weather
conditions, such as rain, snow, wind, and freezing and thawing, without deterioration of the sign or its structure. Cloth, paper, or any other temporary materials shall not be permitted on permanent signs.

(b) All signs shall be constructed, erected and maintained in accordance with the Zoning Regulations.

(c) All signs, including temporary signs, shall at all times be maintained in good condition and repair at all times. Upon determination that a sign is not being maintained, is in poor condition or repair, or is unsafe, the Zoning Inspector or his designated agent may order such sign to be brought into compliance or removed within a specified time period. Should the property owner fail to bring the sign into compliance as directed, the Zoning Inspector may remove (or cause to be removed) or maintain such sign at the expense of the person, firm or corporation who erected the sign or on whose premises it was erected, affixed or attached. Each such person, firm or corporation shall be individually and separately liable for the expense incurred in the removal of the sign. The Zoning Inspector may also institute an injunction, mandamus, abatement, or other appropriate action or proceeding to prevent, enjoin, abate, or remove such violation.

(d) Illuminated signs are permitted pursuant to the following regulations:

(1) Signs may be internally illuminated with LED’s or similar technology, provided that the sign shall be factory set so that the luminance of the sign shall not exceed a maximum of three (3) foot candles measured ten (10) feet from the sign’s face at maximum brightness. Internally illuminated signs shall be equipped with a reduced intensity nighttime setting device activated by photocell or timer.

(2) External illumination of signs shall not be of excessive brightness and shall be designed and shielded so as to prevent glare and minimize light trespass onto adjacent properties and to prevent view of the light source from any adjoining residential property and/or vehicles traveling on public rights-of-way. In no instance shall the intensity of the light exceed twenty (20) foot candles at any point on the sign face.

(3) Signs may use back lighting or halo lighting subject to the approval of the Zoning Inspector.

(4) No sign shall be illuminated between the hours of 2:30 a.m. and 5:00 a.m., unless the activity displaying the sign is open for business during those hours. The Zoning Inspector is authorized to grant an exception from the provisions of this section to any activity in which illumination of signs during the hours otherwise proscribed is necessary or desirable for the security and safety of the activity or for property in the custody of the
activity.

(5) **Electronic Message signs.** Multiple message and variable message signs which are changed electronically shall conform to the following standards:

A. **Electronic Message signs shall only be permitted in the T-C, C-1 and C-4 Zoning Districts.**

B. **Each message or copy shall remain fixed for at least ten (10) seconds. Messages shall not flash, or include animation, or emit intermittent light.**

C. **Changes to messages, copy, or images shall be accomplished in not more than three (3) seconds.**

D. **Each such sign must be capable of regulating the digital display intensity, and the light intensity level of the display must automatically adjust to natural ambient light conditions.**

E. **No such sign shall be of such intensity as to create a distraction or nuisance for motorists.**

F. **Displays shall not emulate traffic control devices.**

G. **Such signs shall contain a default design that will freeze the sign in one position or cause it to go dark if a malfunction occurs.**

H. **The entire message shall change at once, without scrolling, animation, flashing, blinking or other movement or noise.**

I. **The changeable copy portion of any free-standing ground sign or wall sign shall not exceed seventy percent (70%) of the total area of the sign.**

(6) **Temporary signs shall not be illuminated.**

(e) **Signs not visible from off the premises are exempt from these regulations.**

(f) **All signs shall be erected entirely on private property with no part of said sign extending over the public street or right of way.**

**420.12 SIGNS PERMITTED IN R-1 and R-2 RESIDENTIAL DISTRICT.**

(a) The following sign regulations are established for residential uses in the R-1 District. No permit shall be required for the following signs:

(1) **Permanent Signs**

A. One permanent free-standing sign not more than two (2) square feet in area nor four (4) feet in height.

B. Two permanent free-standing signs, neither of which shall be more than one (1) square foot in area nor three (3) feet in height.

(2) **Temporary Signs.**

A. A total of 12 square feet of temporary signs not more than four (4) feet in height. No single sign shall be larger than six (6) square feet. The total number of signs is not limited provided the signs
are in compliance with the maximum amount of area permitted.

B. One temporary free-standing sign not exceeding thirty-two (32) square feet in area nor six (6) feet in height may be erected during active construction of a residential subdivision development, provided that no such sign shall be displayed for longer than two (2) years.

(3) No sign permitted by this section shall be illuminated.

(4) No sign shall be erected closer than fifteen (15) feet from the pavement of a street or within six (6) feet of any property line.

(b) The following sign regulations are established for non-residential uses in the R-1 District. Permits shall be required for the following signs:

(1) Permanent Signs

A. Freestanding Signs

1. One permanent free-standing sign not more than twenty (20) square feet in area nor six (6) feet in height.

2. Two permanent free-standing signs, neither of which shall be more than one (1) square foot in area nor three (3) feet in height.

3. Two (2) Directional signs not more than three (3) square feet in area nor three (3) feet in height each.

B. Wall Signs

1. One per street frontage not to exceed forty (40) square feet in area.

(2) Temporary Signs

A. One temporary wall banner not to exceed thirty-two (32) square feet may be displayed for no longer than 30 consecutive days. No more than 4 temporary wall banners may be displayed in any one year.

B. A total of twelve (12) square feet of temporary freestanding signs not more than four (4) feet in height. No single sign shall be larger than six (6) square feet. The total number of signs is not limited provided the signs are in compliance with the maximum amount of area permitted.

(3) No sign shall be erected closer than fifteen (15) feet from the street right of way line or within six (6) feet of any property line. Signs shall not obstruct the visibility at street corners.

(4) Permanent signs permitted by this section may be externally illuminated provided the external illumination of the sign shall not be of excessive brightness and shall be designed and shielded so as to prevent glare and minimize light trespass onto adjacent properties and to prevent view of the light source from any adjoining residential property and/or vehicles traveling on public rights-of-way.
420.13 SIGNS PERMITTED IN B-R RESIDENTIAL DISTRICTS.

(a) The following sign regulations are established for residential uses in the R-2 Multiple Family and R-3 Townhouse Districts. Permits shall be required for the following signs:

(1) Permanent Signs
   A. Freestanding Signs
      1. One (1) permanent free-standing sign not greater than twenty-four (24) square feet in area nor six (6) feet in height shall be permitted at each entrance to a Multiple Family or townhouse development.
      2. Two permanent free-standing signs, neither of which shall be more than one (1) square foot in area nor three (3) feet in height.
      3. Two (2) Directional signs not more than three (3) square feet in area nor three (3) feet in height each.
   B. Wall Signs
      1. One per street frontage not to exceed forty (40) square feet in area.

(2) Temporary Signs
   A. A total of 12 square feet of temporary signs not more than four (4) feet in height. No single sign shall be larger than six (6) square feet. The total number of signs is not limited provided the signs are in compliance with the maximum amount of area permitted.
   B. One temporary free-standing sign not exceeding thirty-two (32) square feet in area nor six (6) feet in height may be erected during active construction of a residential subdivision development, provided that no such sign shall be displayed for longer than two (2) years.

(3) Permanent signs permitted by this section may be externally illuminated provided the external illumination of the sign shall not be of excessive brightness and shall be designed and shielded so as to prevent glare and minimize light trespass onto adjacent properties and to prevent view of the light source from any adjoining residential property and/or vehicles traveling on public rights-of-way.

(4) No sign shall be erected closer than fifteen (15) feet from the street right-of-way line or within six (6) feet of any property line. Signs shall not obstruct the visibility at street corners.

420.14 SIGNS PERMITTED IN THE T-C, C-1, C-4 BUSINESS DISTRICTS.

(a) The following sign regulations are established for uses in the B-1 Retail
Business District:

(1) Area of Signage. The total area of all permanent signs for each use, building, or land under common ownership or control shall not exceed one (1) square foot for each lineal foot of the building wall or facade which faces the principal street or contains the main entrance.

(2) Permanent Signs

A. Freestanding

1. Each building is permitted one freestanding sign on a base no larger than 8x8 feet. Such sign shall not exceed ten (10) feet in height, and the lowest horizontal projecting feature of the sign shall not be less than eight (8) feet above grade. The freestanding sign shall not exceed thirty-two (32) square feet in area. Signs shall not be located closer than ten (10) feet to a front property line, or five (5) feet from a side property line.

2. Properties that have multiple freestanding buildings on the same parcel and have a shared entrance and exit shall be permitted one ground sign for each building, provided such building is a minimum of 2,500 square feet in gross floor area. Each sign shall be in conformance with the requirements of this section.

B. Wall Signs

1. The maximum sign area for a wall sign shall be one (1) square foot per one (1) linear foot of store front.

2. Buildings with frontage on two or more public streets shall be permitted an additional sign on each secondary frontage provided the sign shall not exceed twenty-five percent (25%) of the area of the sign permitted on the primary frontage. In no case shall the area of the signs exceed the total amount of signage permitted on the site.

3. No more than one (1) wall sign shall be permitted per building frontage or individual tenant space.

4. Wall signs shall be affixed flat to the wall of the building and not project more than one (1) foot.

5. Signs in the T-C, C-1 and C-4 Districts may be illuminated only in conformance with Section 420.11 “D”.

C. Canopy or Awning Signs

1. Canopy or awning signs are subject to the same size regulations for wall signs and shall not exceed an area equal to twenty-five percent (25%) of the canopy or awning.

2. If a canopy or awning and wall sign are used in conjunction with each other, the total square footage of both signs must be added
together to determine the total square footage permitted. Such signs shall also conform to requirements of 420.14

D. Directional Signs

1. No more than two (2) permanent freestanding directional signs not exceeding three (3) square feet in area and located not more than three (3) feet above grade shall be permitted at each access drive to the site.

(2) Temporary Signs

A. Temporary signs may be displayed for no longer than 30 consecutive days. No more than 4 temporary signs may be displayed in any one year. In multi-tenant buildings or properties with multiple buildings, the property owner shall be a joint applicant for all permits for each temporary sign.

B. Each building is permitted one temporary wall banner not to exceed 24 square feet.

C. Each building is permitted one temporary freestanding sign per tenant not more than six (6) square feet in area nor three (3) feet in height.

3. Window signs

A. The total area of all window signs, inclusive of both permanent and temporary, shall not exceed twenty-five (25) percent of the area of a single window.

B. Illuminated signs, which may include neon and LED shall not be greater than ten (10) percent of a single window. The intensity shall not be a distraction to the motoring public.

C. For purposes of this section, a single window shall include the entire area of glass with a separation between the glass panes less than four (4) inches.

4. “A” Frame or Sandwich Board Signs

A. “A” frame or Sandwich Board signs shall be limited to two (2) feet in width and three (3) feet in height.

B. Businesses are permitted one (1) “A” Frame or Sandwich Board sign which must be located on the property on which the business is located.

C. All “A” Frame or Sandwich Board signs must be removed at the end of each business day and may only be displayed during the posted hours the business is open.

D. “A” Frame or Sandwich Board signs shall not be located on the public sidewalk or within the right-of-way.
E. Such signs shall be located not more than five (5) feet from the right-of-way to the business and shall not block sight visibility from a public street or driveway.

F. Signs located on private sidewalks or pedestrian paths must provide a minimum of five (5) feet clear area for passage of pedestrians.

G. For multi-tenant commercial buildings, one (1) sign per tenant is permitted with a minimum of twenty (20) feet separation maintained between signs.

H. No attachments, illumination, banners, balloons, ribbons, flags or moving parts are permitted with the sign.

420.15 SIGNS PERMITTED IN THE I-1 INDUSTRIAL DISTRICT.

(a) The following sign regulations are established for uses in the I-1 Industrial District:

(1) Signs shall be permitted in the I-1 Industrial District as authorized and approved by the Zoning Inspector. The Zoning Inspector shall have sole authority to establish the size, design, character, height, number, style and location of all signage within the I-1 District.

(2) Permits shall be required for signs in the I-1 District. No permit shall be issued without the approval of the Zoning Inspector.

420.16 NONCONFORMING SIGNS.

(a) Signs which were legally in existence prior to the effective date of this Chapter, but which do not conform to the provisions hereof, may be maintained as a matter of right.

(b) Normal maintenance such as painting, cleaning, or minor repairs to the sign face shall be permitted on all such nonconforming signs.

(c) Relocation or replacement of a nonconforming sign or any alteration in the size or structure of such sign or a change in the mechanical facilities, type of illumination or sign face material, shall cause the sign to lose its status as
legally nonconforming and said sign shall be immediately brought into compliance with this Chapter.

(d) If more than 50% of the sign area is damaged, it shall be repaired to conform to this Chapter.

(e) If a non-conforming sign ceases to be used for any reason for a continuous period of six (6) months, the non-conforming sign shall be eliminated and the sign shall thereafter be required to comply with the requirements of this Chapter.

(f) For the purpose of amortization, these signs may be continued from the effective date of this Chapter for a period not to exceed five (5) years.

420.17 PENALTY.

Refer to Chapter 690.04 of the Northfield Center Township Zoning Resolution.

Staff Comments:
While staff did not notice any, staff recommends having the Township’s legal counsel review this chapter to ensure that there are no issues with the US 1st Amendment in the language proposed.

Recommendation: Staff recommends to the Summit County Planning Commission that the proposed text amendments be APPROVED with due consideration to staff comments.
Proposal: The applicant has proposed that the Northfield Center Township Zoning Resolution Chapter 430 Landscaping and Screening Requirements Section 430.04 be amended to add text regulating screening of residential areas from commercial and industrial areas and that the Chapter 130 Definitions be amended to have a new definition of “Buffer Zone”.

Proposed Text Amendments: Text that is struck through is text proposed for deletion, new proposed text is underlined.

BUFFER ZONE:

The purpose of a buffer is to create a visual and/or physical barrier between conflicting, incompatible and/or visually undesirable land uses and to obscure the view of outdoor storage, rubbish areas, dumpsters, parking, loading areas or structures. A buffer may be an earthen berm, a fence, a wall, natural vegetation or a combination of the above.

Sec. 430.04 SCREENING AND BUFFERING OF RESIDENTIAL.

When a lot in any Business-Residential, Commercial or Industrial District abuts a Residential District and for all nonresidential uses permitted as a conditional use in a residential district, screening and buffering along the entire length of the common boundary shall be provided in accordance with the following regulations.

A. Width of Buffer Zone. Each required buffer zone shall have a minimum width equal to the parking setback required for the district in which the lot is located.

B. Buffer Zone Requirements. The buffer zone shall be preserved and maintained in accordance with the following:

1. A minimum of 85% of the buffer zone shall be preserved, left undisturbed in its natural state.

2. Not more than 15% of the buffer zone may be disturbed during construction of the development. Upon completion of construction, the disturbed area
shall be planted with trees, shrubs and/or other ornamental plantings. Fences shall be permitted to be erected within this disturbed area.

3. When the natural vegetation within the required buffer zone does not form a solid continuous visual screen or does not have a minimum height of 6 feet along the entire length of the common boundary of the residential district or property, screening in compliance with the following shall be installed:

a) **Screening.** Screening within the buffer zone shall consist of one (1) or a combination of two (2) or more of the following:

1) A dense vegetative planting incorporating trees and/or shrubs of a variety that shall be equally effective in winter and summer. Trees and/or shrubs shall be adequately spaced to form a solid continuous visual screen within three years after the initial installation.

2) A non-living opaque structure, such as a solid masonry wall, or a solid fence, that is compatible with the principal structure.

3) A fence with openings through which light and air pass, together with a landscaped area at least ten feet wide.

4) A maintained, landscaped earthen-mound at least 5 feet wide.

b) **Height of Screening.** The height of screening shall comply with the following:

1) Visual screening walls, fences, or mounds and fences in combination shall be a minimum of 6 feet high measured from the natural grade, in order to accomplish the desired screening effect.

2) Vegetation shall be a minimum of 6 feet high measured from the natural grade, in order to accomplish the desired screening effect. The required height shall be achieved no later than twelve months after the initial installation.

c) **Placement of Screening.** The location of the wall, fence, or vegetation shall be placed within the buffer zone to maximize the screening effect.

d) **Screening Responsibility.** In the event land is rezoned from an industrial district to an O-C, R-1, or R-2 residential district so that the newly established residential district abuts an existing industrial
district, it shall be the responsibility of the newly created residential property to provide the screening and buffering required in this Section. The required screening and buffering shall be located in the buffer yard required by Section 310.06E on the residential property abutting the industrial district, and shall be maintained by the residential property owner(s).

e) **Buffer Zone Plan.** The buffer zone plan shall be specific to the type of screening option to be used.

4. The earthen berm shall be a minimum of 6 feet in height, and a minimum width of 20 feet. The height shall be measured from the natural grade.

a. **Screening:** screening within the buffer zone shall consist of one (1) or a combination of two (2) or more of the following:

1. A dense vegetative planting incorporating trees and/or shrubs of a variety that shall be equally effective in winter and summer. Trees and/or shrubs shall be adequately spaced to form a solid, continuous visual screen within three (3) years of the initial installation.
2. A non-living opaque structure, such as a solid masonry wall, or a solid fence, that is compatible with the principal structure.
3. A fence with openings through which light and air pass, together with a landscaped area, at least ten (10) feet wide.
4. Shrubs and hedges shall be used to fill in between evergreen trees to ensure screening is effective.
5. The current owner shall maintain the required landscaping in good and healthy condition. In the event any required landscape material dies or is destroyed, it shall be replaced within six (6) months. Replacement material shall conform to the original intent of the landscape plan.
6. Ground cover shall be used and maintained on the berm to prevent erosion of the berm.
7. The evergreen screening shall be a minimum of six (6) feet in height at time of planting.

b. **Height of Screening:** the height of screening shall comply with the following:

1. Visual screening walls, fences, or mounds and fences in combination shall be a minimum of six (6) feet high, measured from the natural grade, and evergreen plantings shall be planted at a maximum distance of ten (10) feet on center to provide an effective buffer unless otherwise specified.
Summary of the changes proposed:
- Proposed new definition of “Buffering” to Chapter 130 “Definitions”, to replace current definition of “Buffer Zone.”
- Add proposed text for Chapter 430, Section 430.04: Screening of residential areas from commercial and industrial areas.

Staff Comments: Staff has several comments:

- Specify the types of trees and shrubs and hedges, otherwise the desired screening may not be achieved until after a few seasons of growth.
- Consider additional placement of trees, staggered rows of trees would offer greater screening than a single row.
- The steepness of the berm proposed, a base of 20 feet and a height of 6 feet, may be detrimental to vegetation growing on the berm and may be prone to erosion.
- Consider adding additional details about the distance between planted trees and distance of tree plantings from signs, lights, fire hydrants etc.
- The proposed section 4 starts with “The earthen berm” is this the same as the earthen-mound mentioned in 430.04(B)3a)4) ? That earthen-mound is required to be at least 5 feet wide while the proposed earthen berm is requiring a minimum of 20 feet.
- The section of proposed text “4 a. Screening” is very similar to existing text 430.04(B)3a) was the intent to have this text replace 430.04(B)3a)?

The proposed text combined with existing text in the section is confusing and not clear when the proposed section 4 is supposed to apply versus when the existing text.

Recommendation: Staff recommends to the Summit County Planning Commission that the proposed text amendments be DISAPPROVE with due consideration to staff comments.